

IN THE CLAIMS:

1. (Currently Amended) A control device for controlling that controls a cluster operation of a plurality of devices, comprising:
a determination portion that determines whether or not a required number of devices for the cluster operation are in a stand-by state;
a restoring portion for restoring that restores a device [[in]] by transferring the device from an energy saving state to a stand-by state based on a determination by the determination portion ; if the number of devices in the stand-by state is smaller than a required number of devices for the cluster operation; and
a distribution portion for distributing that distributes a job to each device [[, if]] based on a sum of the number of devices in the stand-by state and the number of devices restored transferring to the stand-by state by said restoring portion reaches reaching said required number.

2. (Currently Amended) The control device according to claim 1, wherein said restoring portion sets up a device restored from the energy saving state to the stand-by state in accordance with the a specified restoring conditions condition.

3. (Currently Amended) The control device according to claim 2, wherein said restoring condition includes conditions include a warm-up time for the device to return to the stand-by state, and/or the last operation time and/or the functions provided for the device.

4. (Currently Amended) A control device for controlling that controls a cluster operation of a plurality of devices, comprising:

a selecting portion ~~for selecting an insufficient~~ that selects a number of devices from among the devices in an energy saving state, if [[the]] a number of devices in a stand-by state is less than a required number of devices for the cluster operation; and

a distribution portion that distributes for distributing a job to each device already in the stand-by state and each device in the energy saving state that is selected by said selecting portion.

5. (Currently Amended) The control device according to claim 4, wherein said distribution portion distributes the job so that ~~a less amount~~ an allocation of job to each device in the energy saving state that is selected by said selecting portion is less than an allocation allocated than the amount of job to each device already in the stand-by state.

6. (Original) The control device according to claim 4, wherein said distribution portion distributes the job to said each device on the basis of the time for which the device in the energy saving state that is selected by said selecting portion gets to the stand-by state.

7. (Cancelled)

8. (Currently Amended) A control method for controlling a cluster operation of a plurality of devices, comprising:

a determining step of determining whether or not a required number of devices for the cluster operation are in a stand-by state;
a restoring step of restoring a device [[in]] by transferring the device from an energy saving state to a stand-by state based on a determination by the determining step; ~~if the number of devices in the stand-by state is smaller than a required number of devices for the cluster operation; and~~

a distribution step of distributing a job to each device [[, if]] based on the sum of the number of devices in the stand-by state and the number of devices restored transferring to the stand-by state [[at]] by said restoring step reaches reaching said required number.

9. (Currently Amended) The control method according to claim 8, wherein said restoring step sets up a device restored from the energy saving state to the stand-by state in accordance with [[the]] a specified restoring condition conditions.

10. (Currently Amended) The control method according to claim 9, wherein said restoring condition includes conditions include a warm-up time for the device to return to the stand-by state, and/or a last operation time and/or a functions provided for the device.

11. (Currently Amended) A control method for controlling a cluster operation of a plurality of devices, comprising:

a selecting step of selecting ~~an insufficient~~ a number of devices from among the devices in an energy saving state, if [[the]] a number of devices in a stand-by state is less than a required number of devices for the cluster operation; and

a distribution step of distributing a job to each device ~~already~~ in the stand-by state and each device in the energy saving state that is selected at said selecting step.

12. (Currently Amended) The control method according to claim 11, wherein said distribution step distributes the job so that ~~a less amount~~ an allocation of job to each device in the energy saving state that is selected at said selecting step is less than an allocation ~~allocated than the amount~~ of job to each device ~~already~~ in the stand-by state.

13. (Original) The control method according to claim 11, wherein said distribution step distributes the job to said each device on the basis of the time for which the device in the energy saving state that is selected at said selecting step gets to the stand-by state.

14. (Currently Amended) A computer executable program stored on a computer readable medium for controlling the cluster operation of a plurality of devices, which runs on a computer, comprising:

code for a determining step to determine whether or not a required number of devices for the cluster operation are in a stand-by state;

code for a restoring step code for restoring to restore a device [[in]] by transferring the device from an energy saving state to a stand-by state based on a determination by the determining step code, if the number of devices in the stand-by state is less than a required number of devices for the cluster operation; and

code for a distribution step code for distributing to distribute a job to each device [[, if]] based on the sum of the number of devices in the stand-by state and the number of devices restored transferring to the stand-by state [[at]] by said restoring step code reaches reaching said required number.

15. (Currently Amended) The computer program according to claim 14, wherein said code for a restoring step sets up a device restored from the energy saving state to the stand-by state in accordance with [[the]] a specified restoring condition conditions.

16. (Currently Amended) The computer program according to claim 14, wherein said restoring condition includes conditions include a warm-up time for the device to return to the stand-by state, and/or the last operation time and/or the functions provided for the device.

17. (Currently Amended) A computer executable program stored on a
computer readable medium for controlling the cluster operation of a plurality of devices,
which runs on a computer, comprising:

code for a selecting step ~~code for selecting an insufficient to select a number~~
of devices from among the devices in an energy saving state, if [[the]] a number of devices
in a stand-by state is less than a required number of devices for the cluster operation; and
code for a distribution step ~~code for distributing to distribute~~
device ~~already~~ in the stand-by state and each device in the energy saving state that is
selected at said selecting step.

18. (Currently Amended) The computer executable program according
to claim 17, wherein said code for a distribution step distributes the job so that [[the]] an
allocation of job to each device in the energy saving state that is selected at said selecting
step is less frequent than [[the]] an allocation of job to each device ~~already~~ in the stand-by
state.

19. (Currently Amended) The computer executable program according
to claim 18, wherein said distribution step distributes the job to said each device on the
basis of the time for which the device in the energy saving state that is selected at said
selecting step gets to the stand-by state.

20. (Original) A computer readable storage medium for storing the computer executable program according to claim 14.

21. (Currently Amended) A network device in which a cluster operation can be realized in cooperation of a plurality of network devices, comprising:

a determination portion ~~for determining that determines whether the network device is included a cluster system, when or not the cluster operation is running if the~~ conditions for transferring to an energy saving state are met; and

a state transfer portion ~~for transferring that transfers the network device to the energy saving state in accordance with an instruction from an external device, irrespective of said conditions, if the determination portion determines that the network device is included the cluster system it is determined that the cluster operation is running.~~

22. (Currently Amended) A control method for a network device in which [[the]] a cluster operation can be realized in cooperation of a plurality of network devices, comprising:

a determination step of determining whether ~~the network device is included a cluster system, when or not the cluster operation is running if the~~ conditions for transferring to an energy saving state are met; and

a state transfer step of transferring ~~the network device~~ to the energy saving state in accordance with an instruction from an external device, irrespective of said

conditions, if the determination step determines that the network device is included the cluster system it is determined that the cluster operation is running.

23. (Currently Amended) A computer executable program stored on a computer readable medium for controlling a network device in which the cluster operation can be realized in cooperation of a plurality of network devices, comprising:

code for a determination step code for determining to determine whether a network device is included a cluster system, when or not the cluster operation is running if the conditions for transferring the network device to an energy saving state are met; and

code for a state transfer step of transferring to transfer the network device to the energy saving state in accordance with an instruction from an external device, irrespective of said conditions, if the determination step determines that the network device is included the cluster system it is determined that the cluster operation is running.

24. to 38. (Cancelled)

39. (New) The control device according to claim 2, wherein the restoring condition is registered in a server,

wherein said control device further comprises an acquisition portion that acquires the restoring condition registered in the server, and

wherein said restoring portion restores a device in an energy saving state to a stand-by state based on the acquired restoring condition.

40. (New) The control device according to claim 1, wherein the control device is embedded in a printer.

41. (New) The control method according to claim 9, wherein the restoring condition is registered in a server,

wherein said control method further comprises an acquisition step of acquiring the restoring condition registered in the server, and

wherein a device in an energy saving state is restored to a stand-by state in said restoring step based on the acquired restoring condition.

42. (New) The control method according to claim 8, wherein the control method is preformed in a printer.

43. (New) The program according to claim 15, wherein the restoring condition is registered in a server,

wherein said program further comprises an acquisition step code of acquiring the restoring condition registered in the server, and

wherein a device in an energy saving state is restored to a stand-by state in said restoring step code based on the acquired restoring condition.

44. (New) The program according to claim 14, wherein the program is preformed by a computer embedded in a printer.